REMARKS

In the Office Action mailed April 4, 2008 the Office noted that claims 13-24 were pending and rejected claims 13-24. Claims 18 and 19 have been amended, no claims have been canceled, and added claims 25 and 26, and, thus, in view of the foregoing claims 13-26 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 18 and 19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office asserts that "the support element" has insufficient antecedent basis.

The Applicant has amended the claims to recite "the connection element."

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 13-17 and 20-21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shaw, U.S. Patent No. 2003/0058219. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Shaw discusses a mouse with a cover 12 (i.e. treadle) capable of indicating three degrees of freedom, pitch yaw and roll.

On page 3 of the Office Action, it is asserted that Shaw ¶ 0018 and Figures 1-4 disclose "the movable portion comprises a shell (4) connected to a stationary base (2) by means of joint means configured arranged to allow all possible movements of the shell (4) relative to the base (2) with the exception of movement in translation in a direction substantially perpendicular to the support plane of the base (2)," as in claim 13.

However, Shaw ¶ 0018 states in part that

> FIGS. 3 and 4 show the various components allowing the treadle **12 to be pitched, rolled and yawed** relative to the base 14. More particularly, **the base 14 has a stationary support 50 which accommodates the joystick** potentiometer 40 and the stationary sensor 44 therein with the input shaft 43 of the joystick potentiometer 40 extending upwardly. [Emphasis added]

Thus, only three degrees of freedom are discussed in Shaw and therefore not all possible movements of the shell relative to the base.

Further, Shaw ¶ 0021 states in part

> FIG. 3 shows that the **support 50 may have a platform 84 which spans the support 50 and receives the joystick potentiometer 40 thereon.** A printed circuit board 86 and/or wire connectors may be positioned beneath the platform 84 to receive the terminals of the joystick potentiometer 40. Since the input shaft 43 is typically formed with flats and is not intended to be rotated, the treadle socket 80 has a bushing 90 extending from the underside thereof that slidably receives the input shaft 43 therein, permitting the **treadle 12 to be rotated relative to the input shaft 43.** [Emphasis added]

Further, as Shaw discusses "the base 14 has a stationary support 50," the base 14 and stationary support do not

move relative to each other as they are connected. Instead, the treadle 12 is rotated relative to the input shaft 43, not the stationary base.

For at least the reasons discussed above, claim 13 and the claims dependent therefrom are not anticipated by Shaw.

On page 3 of the Office Action, it is asserted that Shaw discloses "the joint means comprises a connection element (5) having a first end (6) co-operating with the shell (4) to provide a spherical type connection, and a plane second end (8) slidably received against a plane surface (9) of the base (2)," as in claim 14 (emphasis added).

However, stationary support 50 as shown in figure 3 of Shaw is connected to surface 14 and therefore does not slide against the surface 14.

Withdrawal of the rejections is respectfully requested.

<u>REJECTIONS under 35 U.S.C. § 103</u>

Claims 18 and 24 stand rejected under 35 U.S.C. § 103(a) as being obvious over Shaw in view of Soeta, U.S. Patent No. 6,525,713. The Applicant respectfully disagrees and traverses the rejection with an argument.

Soeta adds nothing to the deficiencies of Shaw as applied against claim 13. Therefore, for at least the reasons discussed above, Shaw and Soeta, taken separately or in combination, fail to disclose the features of claims 18 and 24.

Claims 19, 22 and 23 stand rejected under 35 U.S.C. §

103(a) as being obvious over Shaw in view of Toshiharu, U.S. Patent No. 6,753,848. The Applicant respectfully disagrees and traverses the rejection with an argument.

Toshiharu adds nothing to the deficiencies of Shaw as applied against claim 13. Therefore, for at least the reasons discussed above, Shaw and Toshiharu, taken separately or in combination, fail to disclose the features of claims 19, 22 and 23.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 25 and 26 are new. Support for claims 25 and 26 may be found, for example, at the paragraph beginning on page 2, line 30 of the Specification. The Applicants submit that no new matter has been added by the inclusions of claims 25 and 26. The prior art of record fails to disclose a shell can then be manipulated with five degrees of freedom corresponding to two degrees of freedom in translation in directions that are substantially parallel to the plane supporting the base, and three degrees of freedom in rotation.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 112, 102 and 103. It is also submitted that claims 13-26 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a

condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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